

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

SARA EVELAND)	
307 West Center Street)	
Lebanon, IL 62254,)	
)	
Plaintiff,)	
)	
vs.)	NO:
)	
PATRICK SHOOK,)	
11922 Wexford Place Drive)	
Maryland Heights, MO 63110)	
)	
Defendant.)	

PETITION

COUNT I

(Comparative Negligence)
Sara Eveland v. Patrick Shook

Now comes the Plaintiff, Sara Eveland, by and through her attorneys, Thomas C. Rich, P.C., and for her cause of action against the Defendant, Patrick Shook, respectfully represents unto the Court as follows:

1. That the Plaintiff, Sara Eveland, is a citizen of Lebanon, in the County of St. Clair, and the State of Illinois.
2. That the Defendant, Patrick Shook, is a citizen of St. Louis County, Missouri.
3. That the amount in controversy exceeds the sum or value of \$75,000.00, exclusive of costs interest and costs.
4. That jurisdiction of this Court is proper under 28 U.S.C. §1332, diversity of citizenship.
5. That this action properly lies in this district pursuant to 28 U.S.C.A. § 1391,

because the claim arose in this judicial district.

6. That on July 20, 2015, the Plaintiff, Sara Eveland, was operating a motor vehicle traveling Southwest on Manchester Road in St. Louis, Missouri.

7. That on July 20, 2015, the Defendant, Patrick Shook, was operating a motor vehicle traveling Southwest on Manchester Road in St. Louis, Missouri.

8. That at said time and place, the vehicle operated by the Defendant, Patrick Shook, struck the rear of Plaintiff's vehicle.

9. At said time and place, the Defendant, Patrick Shook, committed one or more of the following acts of negligence and/or omissions which directly and proximately caused the collision to occur:

- a. The Defendant failed to keep a proper lookout for other vehicles then and there rightfully upon said roadway and particularly the vehicle of the Plaintiff;
- b. The Defendant drove his vehicle in such a manner as to cause it to rear the side of the Plaintiff's vehicle;
- c. The Defendant failed to properly apply the brakes of his vehicle;
- d. The Defendant operated his vehicle at an excessive rate of speed which was greater than was reasonable and proper having regard for the traffic then and there upon said highway;

10. As a direct and proximate result of one or more of the foregoing acts of negligence and/or omissions of the Defendant, Patrick Shook, the Plaintiff was injured in one or more of the following ways:

- a. The Plaintiff was made sick, sore, lame, disordered and disabled and suffered extensive injuries to her head, body, and limbs, both internally and externally;
- b. The Plaintiff received injuries to her neck;
- c. The Plaintiff received injuries to her back;

- d. The Plaintiff received injuries to her hip;
- e. The Plaintiff received injuries to her wrist;
- f. The Plaintiff received injuries to her elbow;
- g. The Plaintiff received injuries to the soft tissues of the cervical and shoulder area, including the muscles, ligaments, tendons and nerves;
- h. The Plaintiff has expended money for necessary medical care, treatment and services and will be required to expend money for medical care, treatment and services in the future;
- i. The Plaintiff has suffered disability as a result of her injuries;
- j. The Plaintiff has experienced pain and suffering and will be reasonably certain to experience pain and suffering in the future as a result of the injuries; and
- k. The Plaintiff has lost money from the loss of wages and will suffer an impairment of future earning capacity.

WHEREFORE, the Plaintiff, Sara Eveland, prays judgment against the Defendant, Patrick Shook, for a fair and just award in excess of Seventy-five Thousand Dollars (\$75,000.00) plus costs of this suit

Respectfully submitted,

s/ Thomas C. Rich
BY: THOMAS C. RICH, P.C.
Mr. Thomas C. Rich #42912
Ms. Kristina D. Cooksey #62580
Ms. Michelle M. Rich #65592
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AFFIDAVIT

Now comes Thomas C. Rich, P.C. attorney for the Plaintiff in the above titled action and at the time of the filing of this Complaint have reasonable grounds to believe that the damages to the Plaintiffs as a result of the injuries sustained herein will be in excess of Seventy-five Thousand Dollars (\$75,000.00).

2/8/16
Date

s/ Thomas C. Rich
BY: THOMAS C. RICH, P.C.
Mr. Thomas C. Rich #42912
Ms. Kristina D. Cooksey #62580
Ms. Michelle M. Rich #65592
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